

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC.,)
Plaintiff,)
v.) Civil Action No. 04-1371-JJF
FAIRCHILD SEMICONDUCTOR)
INTERNATIONAL, INC., and FAIRCHILD)
SEMICONDUCTOR CORPORATION)
Defendants.)

**DECLARATION OF RICHARD C. WINGATE,
GENERAL COUNSEL OF LG ELECTRONICS U.S.A. INC.**

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Attorneys for LG Electronics U.S.A., Inc.

Dated: November 11, 2005

I, Richard C. Wingate, declare as follows:

I am employed by LG Electronics U.S.A., Inc. (“LGE-USA”), where I hold the position of General Counsel. I submit this declaration in support of LG Electronics U.S.A. Inc.’s combined (i) Objections to Subpoena Duces Tucem and (ii) Motion to Quash Subpoena Ad Testificandum and for a Protective Order. The statements made herein are based upon my personal knowledge, and if called on as a witness, I would testify as to the following:

1. On September 13, 2005, Power Integrations, Inc. (“Power Integrations”) served a Subpoena Duces Tucem and Subpoena Ad Testificandum (collectively “Subpoena”) on LGE-USA. The Subpoena requested the production of documents and things on September 23, 2005 and the deposition of LGE-USA on September 26, 2005. Subsequently, on September 22, 2005, I understand that Power Integrations stipulated to an extension of time for the Subpoena, extending the time for any responses until September 30, 2005, and that a second stipulation was subsequently entered, extending the time for any responses until October 14, 2005, and that a third stipulation was subsequently entered, again extending the time for any responses until November 11, 2005.

2. LGE-USA has reviewed the Subpoena and concluded that it does not have any documents or things responsive to the document requests. Moreover, LGE-USA does not have any of the information that Power Integrations seeks through its noticed deposition topics, particularly as the information requested relates to the requested documents.

3. Specifically, LGE-USA has no familiarity with the 43 Fairchild integrated circuits listed in the Subpoena. Thus, LGE-USA has no responsive documents or information.

4. LGE-USA is primarily in the business of distributing and marketing consumer electronic products (such as audio and video devices, home appliances, and computer products) within the United States that are designed, manufactured, or assembled by LG Electronics, Inc. of Korea (“LGE-Korea”). LGE-USA purchases these consumer electronic products from LGE-Korea and then imports, markets, and sells them in the United States. Although LGE-USA

imports, markets, and sells consumer electronic products that are designed, manufactured, or assembled by LGE-Korea, LGE-USA does not have information about the design, manufacture, or assembly of those products, at least nothing that would identify the name of the circuit suppliers used by LGE-Korea. LGE-USA does have service manuals for the products that it imports, markets, and sells in the United States, but the service manuals do not identify the name of the circuit suppliers used by LGE-Korea to design, manufacture, or assemble those products. The parts listings in the service manuals simply contain "LG numbers," which do not identify the name of the circuit suppliers used by LGE-Korea for those products. Therefore, LGE-USA does not have documents or information for the products that it sells from LGE-Korea that identify the names of the suppliers for the components of any of those products.

5. In addition to the consumer electronic products imported, marketed, and sold by LGE-USA in the United States that are designed, manufactured, or assembled by LGE-Korea, LGE-USA also designs, manufactures, and sells a small number of television and television-related products in the United States, such as television-related products sold to hotels, hospitals, and schools for television viewing and/or television programming control. LGE-USA has reviewed all parts lists, schematics, and any other documents and information regarding these television-related products, and LGE-USA does not have any information indicating that these products contain any of the 43 Fairchild integrated circuits listed in the Subpoena.

6. LGE-USA, a subsidiary of LGE-Korea, is a Delaware corporation within the United States, with a principal place of business at 1000 Sylvan Avenue, Englewood Cliffs, NJ 07632.

7. LGE-Korea is a Korean corporation headquartered in Seoul, Korea, with a principle place of business at LG Twin Towers 20, Yido-dong, Youngdungpo-gu, Seoul 150-721, Korea. In the United States, LGE-Korea uses subsidiaries, including LGE-USA, to market its products. Other LGE-Korea subsidiaries in the United States include LG Electronics Alabama, Inc., LG Electronics MobileComm U.S.A., Inc., and LG Electronics Mobile Research U.S.A., LLC.

8. LGE-USA and LGE-Korea are separate and independent legal entities.
9. LGE-USA does not have control over LGE-Korea, particularly as a subsidiary.
10. LGE-USA does not have possession, custody, or control of information pertaining to consumer electronic products designed, manufactured, or assembled by LGE-Korea, at least nothing that would identify the name of the circuit suppliers used by LGE-Korea, including approved parts lists and/or authorized suppliers and/or sub-contractors, and further including either bill of materials and/or specifications and/or schematics. For this reason, LGE-USA also does not have possession, custody, or control of information pertaining to the importation volumes of consumer electronic products designed, manufactured, or assembled by LGE-Korea, at least nothing that would identify the name of the circuit suppliers used by LGE-Korea.
11. Following a reasonable search, LGE-USA did not identify any responsive and/or relevant communications between LGE-USA and Fairchild Semiconductor Corporation, Fairchild Semiconductor International, Inc., and/or Fairchild Semiconductor Korea.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 11 th day of November 2005, at Englewood Cliffs NJ



Richard C. Wingate

CERTIFICATE OF SERVICE

I hereby certify that on the 11^h day of November, 2005, the attached **DECLARATION OF RICHARD C. WINGATE, GENERAL COUNSEL OF LG ELECTRONICS U.S.A. INC.** was served upon the below-named counsel of record at the address and in the manner indicated:

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/s/ Tiffany Geyer Lydon

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